PROCEEDINGS OF THE COMMON COUNCIL
IN SPECIAL SESSION
MONDAY, NOVEMBER 10 19 86

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Monday EVENING November 10 A.D., 19 86, IN Special SESSION. PRESIDENT Samuel J. Talarico IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT:

COUNCILMAN:, , ,

THE INVOCATION WAS GIVEN BY

THE MINUTES OF THE LAST REGULAR October 28, 19 86,

, 19,

SPECIAL October 21, 19 86,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Special Session, held on Monday, the 10th day of November, 1986, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this_____day of _____,19____,

_____

SANDRA E. KENNEDY, CITY CLERK

COMMUNICATIONS FROM THE MAYOR

October 16, 1986

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, October 16, 1986, I have approved the following ordinances and resolutions passed by the Common Council at this regular meeting of October 14, 1986.

(Bill No. R-86-09-11)
DECLARATORY RESOLUTION NO. R-70-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 8000 Bluffton Road, Fort Wayne, Indiana 46809. (Bowmar Instrument Corporation/Aerospace Division. Petitioner)

(Bill No. R-86-09-13)
DECLARATORY RESOLUTION NO. R-71-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as Conastoga Drive, Centennial Industrial Park, Fort Wayne, Indiana. (Fort Wayne Foundry Corp., Machining Division Cole Pattern & Engineering Co., Inc., Petitioner)

(Bill No. R-86-09-15)
DECLARATORY RESOLUTION NO. R-72-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1311 E. Wallace, Fort Wayne, Indiana, 46803. (Miller Stamping & Tool, Inc., Petitioner)

(Bill No. R-86-09-19)
RESOLUTION NO. R-73-86

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, authorizing the City of Fort Wayne to participate in and apply for a Certified Local Government Grant

(Bill No. S-86-09-20)
SPECIAL ORDINANCE NO. S-158-86

AN ORDINANCE approving Change Order No. 2 (FINAL) for 85-W-4, Redwood-Chestnut Tank Painting, with Neumann Company Contractors Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-09-21)
SPECIAL ORDINANCE NO. S-159-86

AN ORDINANCE approving Contract #423-1986, Pierson Ditch-Lagoon Levee, between the City of Fort Wayne, Indiana and T-G Excavating, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-86-09-22)
SPECIAL ORDINANCE NO. S-160-86

AN ORDINANCE approving Water Contract 86-XP-3, North Clinton Street Water Main Extension, between All Star Construction & Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-09-23)
SPECIAL ORDINANCE NO. S-161-86

AN ORDINANCE approving Water Contract 86-04, Kirkwood Park, Phase I, between Bercot, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-09-24)
SPECIAL ORDINANCE NO. S-162-86

AN ORDINANCE approving Contract for REs. 895-86 - Illinois Road Sanitary Sewer Extension, between John Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-09-25)
SPECIAL ORDINANCE NO. S-163-86

AN ORDINANCE approving Water Contract 86-XP-4, Wallen-Coldwater Road Connection, between Scheidleman Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-09-26)
SPECIAL ORDINANCE NO. S-164-86

AN ORDINANCE approving Water Contract for 86-XP-6, Production-Newaygo Roads Water Connection, between Scheidleman Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-09-27)
SPECIAL ORDINANCE NO. S-165-86

AN ORDINANCE approving Change Order No. 1 (FINAL) for Water Contract 85-XP-7, 16" Water Main to North American Van Lines, with All Star Construction, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. X-86-05-47)
ANNEXATION ORDINANCE NO. X-07-86

AN ORDINANCE annexing certain territory commonly known as the Baer Field Industrial Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 4

(Bill No. R-86-05-48)
RESOLUTION NO. R-74-86

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana setting forth the policy of the City of Fort Wayne, Indiana in regards to the annexation of the Baer Field Industrial Annexation Area

(Bill No. G-86-09-09)
(as amended) (as amended)

AN ORDINANCE regulating the use and placement of signs within the City of Fort Wayne, Indiana

Respectfully yours,

Win Moses, Jr.
Mayor

COMMUNICATIONS FROM THE MAYOR

October 22, 1986

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, October 22, 1986, I have approved the following ordinances and resolutions passed by the Common Council at this special meeting of October 21, 1986.

(Bill No. A-86-10-01)
APPROPRIATION ORDINANCE NO. A-07-86

AN ORDINANCE of the City of Fort Wayne, Indiana appropriating the sum of Three Million Five Hundred Twenty Thousand Dollars ($3,520,000) to be applied on the cost of construction, reconstruction and repair of certain streets, thoroughfares and sidewalks together with installation of street lights and for such other public improvements as determined by the City and expenses incurred in connection therewith

(Bill No. S-86-10-02)
SPECIAL ORDINANCE NO. S-166-86

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $3,520,000.00 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF MAKING NEIGHBORHOOD PUBLIC IMPROVEMENTS (MUNICIPAL BONDS OF 1986 - PHASE II); PROVIDING FOR THE DESIGNATION OF A BOND REGISTRAR, TRANSFER AGENT, PAYING AGENT AND INVESTMENT AGENT; AND APPROVING AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH

(Bill No. S-86-10-03)
SPECIAL ORDINANCE NO. S-167-86

AN ORDINANCE concerning the refunding of an indebtedness of the municipal waterworks incurred for the acquisition and construction of water facilities by the municipal waterworks of the City of Fort Wayne, the construction of extensions and additions to the waterworks system owned and operated by said City, authorizing the issuance of revenue bonds to provide for the cost thereof, matters connected therewith, and repealing ordinances in conflict therewith

(Bill No. R-86-10-04)
RESOLUTION NO. R-75-86

RESOLUTION DESIGNATING PROJECTS FOR INCLUSION IN PHASE II OF THE CITY OF FORT WAYNE, INDIANA'S NEIGHBORHOOD PUBLIC IMPROVEMENT PROGRAM, SPECIFYING WHICH PROJECTS ARE TO BE FUNDED THROUGH THE NEIGHBORHOOD IMPROVEMENT BOND, SERIES II, AND APPROVING OTHER ACTIONS IN CONNECTION THEREWITH

Respectfully yours,

Win Moses, Jr.
Mayor

COMMUNICATIONS FROM THE MAYOR

October 31, 1986

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, October 31, 1986, I have approved the following ordinances and resolutions passed by the Common Council at this regular meeting of October 28, 1986.

(Bill No. S-86-10-08)
SPECIAL ORDINANCE NO. S-168-86

AN ORDINANCE approving Civil City Purchase Orders #A-48949, #A-48960, #A-48961, with Jackson Wrecking Co., Richard Ness Excavating and Ron Lunz, respectively for the Safe Housing and Building Standards Department of the City of Fort Wayne, Indiana

(Bill No. S-86-10-09)
SPECIAL ORDINANCE NO. S-169-86

AN ORDINANCE approving Civil City Purchase Orders #A-48897, #A-48898, and #A-48899, with Jackson Wrecking Co., Ron Lunz and Richard Ness Excavating Co., respectively, for the Safe Housing and Building Standards Department of the City of Fort Wayne, Indiana

(Bill No. R-86-10-36)
DECLARATORY RESOLUTION NO. R-76-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1.12-1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana. (EDY's Grand Ice Cream, Petitioner)

(Bill No. R-86-10-38)
DECLARATORY RESOLUTION NO. R-77-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2504 Getz Road, Fort Wayne, Indiana (Summit City Investments, Petitioner)

(Bill No. R-86-10-40)
DECLARATORY RESOLUTION NO. R-78-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1317 Chute Street, Fort Wayne, Indiana. (Envirotemp Corporation, Petitioner)

(Bill No. R-86-10-43)
RESOLUTION NO. R-79-86

A RESOLUTION authorizing the submission of a Final Statement of Community Development Objectives and Projected Use of Funds and the required certifications to the U.S. Department of Housing and Urban Development as required for the City of Fort Wayne to receive its 1987 Community Development Block Grant Entitlement

(Bill No. G-86-09-18)
GENERAL ORDINANCE NO. G-35-86

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley thereof

(Bill No. G-86-10-17)
GENERAL ORDINANCE NO. G-36-86

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a dedicated plat

(Bill No. R-86-10-10)
RESOLUTION NO. R-80-86

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, recommending and endorsing legislation for the purpose of providing local community input as to the selection of hazardous waste facility sites within the State of Indiana

(Bill No. S-86-10-18)
SPECIAL ORDINANCE NO. S-170-86

AN ORDINANCE approving Change Order No. 1, Res. 6018-85, Lynn Avenue, Phase I-B, with Rieth-Riley Construction Co., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-10-19)
SPECIAL ORDINANCE NO. S-171-86

AN ORDINANCE approving Change Order No. 1 Res. 6017-85, Lunn Avenue, Phase I-A, with Rieth-Riley Construction Co., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-10-20
SPECIAL ORDINANCE NO. S-172-86

AN ORDINANCE approving Change Order No. 1 and FINAL - Prospect Avenue Storm Sewer, Res. 419-85, with All Star Construction & Excavating, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-10-21)
SPECIAL ORDINANCE NO. S-173-86

AN ORDINANCE approving Contract for Res. 6053-86, Planeview Dr. and Heiny Drive, between John Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-10-22)
SPECIAL ORDINANCE NO. S-174-86

AN ORDINANCE approving Change Order No. 3 Res. 6021-85 - Maplecrest Road Extension, with Earth Construction Co., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-10-23)
SPECIAL ORDINANCE NO. S-175-86

AN ORDINANCE approving Change Order No. 4, Res. 6021-85 - Maplecrest Rd. Extension, with Earth Construction Co., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-10-24)
SPECIAL ORDINANCE NO. S-176-86

AN ORDINANCE approving Change Order No. 1 and FINAL, Res. 415-85, East State Church of God Lift Station, with All Star Construction & Excavating, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-10-25)
SPECIAL ORDINANCE NO. S-177-86

AN ORDINANCE approving Contract for Res. 425-86, Lawrence Drain Storm Improvement, Phase II, between Spears-Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-10-26)
SPECIAL ORDINANCE NO. S-178-86

AN ORDINANCE approving Sewer Contract 425-86 - Lawrence Drain Improvement, Phase I, between John Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-86-10-27)
SPECIAL ORDINANCE NO. S-179-86

AN ORDINANCE approving City Utilities Purchase Order #A-54500, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the City Utilities Garage and Flex-Rod Sewer Equipment Company, for the Water Pollution Control Maintenance Department

(Bill No. S-86-10-28)
SPECIAL ORDINANCE NO. S-180-86

AN ORDINANCE approving City Utilities Purchase Order #A-54501, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the City Utilities Garage and MacDonald Machinery Company, Inc., for the Water Pollution Control Maintenance Department

(Bill No. S-86-10-29)
SPECIAL ORDINANCE NO. S-181-86

AN ORDINANCE approving City Utilities Purchase Order #A-54414, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and W & W/HPT Equipment Company, for the Filtration Plant

(Bill No. S-86-10-30)
SPECIAL ORDINANCE NO. S-182-86

AN ORDINANCE approving City Utilities Purchase Order #A-54425, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Worthington Steel Company for the Water Pollution Control Plant

(Bill No. S-86-10-33)
SPECIAL ORDINANCE NO. S-183-86

AN ORDINANCE approving Change Order No. V-1, S-2, Southwest Interceptor, Phase V, Res. 408-85, with Indiana Construction Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. X-86-10-31)
ANNEXATION ORDINANCE NO. X-08-86

AN ORDINANCE annexing certain territory commonly known as Canterbury School Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4

(Bill No. R-86-10-32)
RESOLUTION NO. R-81-86

A RESOLUTION of the Common Council setting forth the policy of the City in regard to the Canterbury School Annexation

Respectfully yours,

Win Moses, Jr.
Mayor

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

31 October 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-79-08-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
31st day of October 1986.

Melvin O. Smith
Secretary

FACT SHEET

G-79-06-18
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE Street Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Berry Street between Broadway and VanBuren Street

Reason for Project

In order to convert this portion of street into a park like setting to enhance the hospital.

Discussion (Including relationship to other Council actions)

Public Hearing - February 24, 1986

Russell Long, Vice-President of Business Development at St. Joseph's Hospital stated that they were requesting the vacation in order to convert this portion of Berry Street into a park like setting, complete with landscaping, park benches with a right-of-way, which is required for emergency vehicles. He stated the reasons for this request would be in order to allow patients from the front entrance of the hospital, which enter off of Broadway, to come out and enter directly into the front of the parking garage. He stated it is also to provide a park like setting for the enjoyment of the public and the neighborhood and also to enhance the blending of a major employer in this area with the neighborhood in which it resides. He stated that they have been supported in the endeavor by the West Central Neighborhood Association going back 6 years ago, when this was first applied for, and as recently as a month ago. He stated they have also met with Planning Staff and the City Traffic Engineers. He stated that they have heard all of the concerns with regard to utilities also. He

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** St. Joseph Hospital **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditic (See Details column for conditi
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pa

DETAILS

stated they intend to deal with all of the concerns.

Mel Smith questioned if Traffic Engineering had made a study or were going to, regarding the traffic usage of this portion of Berry Street.

Mr. Long stated that Walt Stout, Traffic Engineer, and his staff were doing a traffic count.

Mel Smith questioned if this would stop people from parking in the neighborhood, and cause them to use the parking garage and the parking lot provided by St. Joseph Hospital.

Mr. Long stated that this will not prohibit or stop people from parking the the area. He stated people will park on the street of their own volition.

Steve Smith questioned if the vacated area would still maintain a right-of-way that would be sufficient for emergency vehicles, such as fire trucks.

Mr. Long stated that yes it would. He stated they have not worked out all of the details but there are a couple of requirements that the City has made very clear that must be architecturally dealt with. He stated that it must be self-evident to any traffic coming up Berry Street that they cannot proceed through Berry Street. He stated also that the surface area of the provided right-of-way must be able to support a fire truck which has a weight of something like 20 tons.

Steve Smith asked that in addition to Traffic Engineering's comments regarding the traffic

Project Start **Date** 3-28-79

Projected Completion or Occupancy **Date** 10-24-86

Fact Sheet Prepared by **Date** 10-24-86

Patricia Biancaniello

Reviewed by **Date** 10/27/86

Gary Baxter

Reference or Case Number

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

counts he would also like comments from t Fire Dept.

Edith Kenna asked that the traffic study being done be more than a count of the number of cars using this portion of Berry Street. She stated that the traffi study should also disclose what type of impact it will have on surrounding street that will have to pick up the traffic diverted because of the closing of this portion of Berry Street.

Mel Smith questioned why there were no comments on the Comprehensive Plan.

V.C. Seth, Director of Planning, stated that this portion of Berry Street does not deal with a major arterial. He stated that the vacation of this portion of street would not impact the Comprehensive Plan.

Business Meeting - March 24, 1986

The following is the an excerpt from the business meeting minutes on the motion which recommendation a DO PASS on the vacation ordinance.

Ben Eisbart: I would offer the following that a "Conditional Approval" be granted and that conditional approval include articles 1 thru 4 on page 29 - that's the staff recommendation. Contingent upon the following:

1) Petitioner is to provide utility easements as necessary.
2) Petitioner is to provide pedestrian easements.
3) Site plan review and approval is required from the following departments: Traffic Engineering, Street Engineering, and CD&P Landscape Architect.

4) The existing street should be closed except for emergency vehicles. The closure -- and you can help me form this language -- to be a conditional right-of-way encroachment which can be reversed by the Board of Works at any time it so deems fit.

Steve Smith seconded the motion.

Ben Eisbart asked for discussion.

Steve Smith questioned if it were proper for the Chair to make the motion.

Motion to approve was done by a roll call vote.

Ben Eisbart - yea

Duane Embury - yea

Herman Friedrich - nay

Robert Hutner - nay

Edith Kenna - nay

Daivd Kiester - yea

John Shoaff - yea

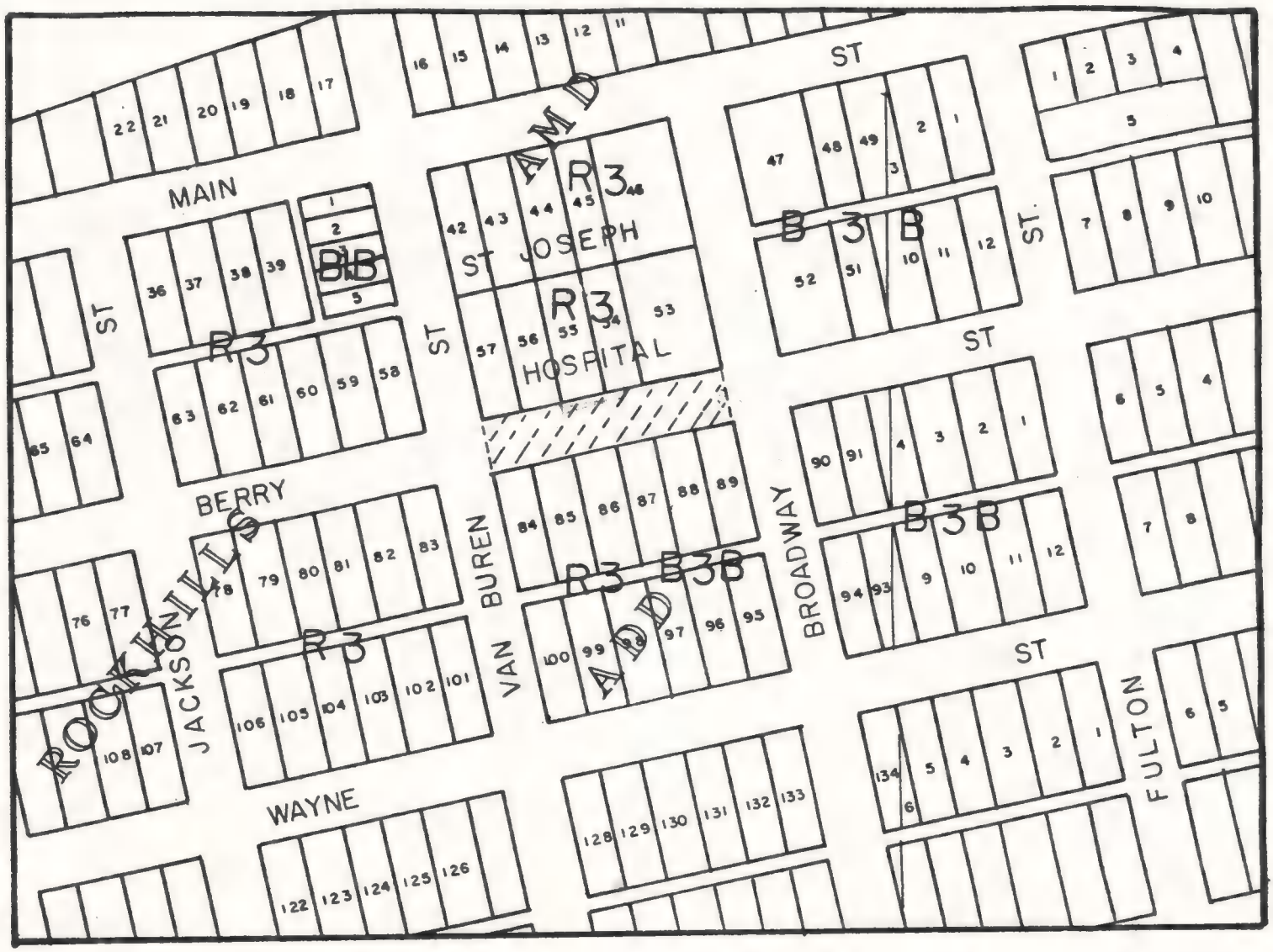
Mel Smith - nay

Steve Smith - yea

Motion to approve carried with 5 - yeas and 4 - nays. Of the nine members present

5 voted in favor and 4 voted against approval of the vacation.

NOTE: Staff has received, from the City Attorney's Office, a copy of the signed agreement between the Board of Public Works and St. Joseph Medical Center. The agreement covers all conditions imposed by the City Plan Commission except for the one which deals with approval of the site plan. In the interest of moving this matter along to City Council, staff would require that the development is to be approved by Traffic Engineering, Street Engineering and the CD&P Landscape Architect prior to the beginning of construction.



PORTION OF STREET TO BE VACATED

N

Map No. L-6

Change of Zone #183

Bill No. G-79-08-18

Prepared By R.K.

Date 3 April 1979

Vacation Petition #183 11 February 1986

PROPOSAL: Sister M. Kathleen Quinn, Administrator of St. Joseph's Hospital, requests the vacation of Berry Street from Broadway to Van Buren.

GENERAL INFORMATION:

Location:	Berry Street, between Broadway and Van Buren.
Legal Description:	In File
Existing Zoning:	D/N/A
Size of Property:	.41 Acres ±
Surrounding Land Use & Zoning:	The general area contains R3 and B3B designations.
Reason For Request:	Enhancement of hospital features.
Applicable Regulations:	This is currently a dedicated public right-of-way.

SPECIAL INFORMATION:

Public Utilities:	Available in this area.
Physical Characteristics:	This street is fully functional right-of-way.
Comprehensive Plan:	No Comment
Neighborhood Planning:	The West Central Neighborhood Plan includes a policy that includes this vacation as part of its implementation. According to the Plan: "Policy: Reduce and slow down 'through' traffic along non-arterial streets (specifically Berry) while minimizing detriment to citywide traffic movement. A significant problem to residents of historic Berry Street has been the use of the street as a 'short-cut' via Thieme Drive in getting to Washington Blvd., and points west. The effect of the usage of Berry Street in this manner has been a higher volume of traffic than would typically be anticipated at speeds threatening

the safety of area residents. Residents contend that traffic heading outbound from the downtown area would be more appropriately handled by Washington Blvd.

Implementation: Analyze traffic patterns and volumes within the Berry Street area.

The West Central Neighborhood Association and St. Joseph Hospital have reached an agreement which they believe would help effect this policy. Their mutual desire is to seek the closing of Berry Street to non-emergency traffic (all but police, fire, ambulance, sanitation, water and utilities) between Broadway and Van Buren. It is thought that this action would not only reduce traffic on Berry Street west of VanBuren, but would increase pedestrian safety in the vicinity of the hospital. Before closing the street, it is hoped a careful study of the traffic situation will be done."

Urban Design: Vacation should be subject to site plan approval.

HANDS: No Comment

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

This portion of Berry Street is used by both pedestrian and vehicular traffic, and serves as a significant link to and from the downtown area. The hospital and the West Central Neighborhood Association are apparently in accord on the merits of this of this proposal, and the plan for this area is therefore in support of such a vacation.

An actual vacation would impact traffic flow, and possibly redirect that flow onto other arterial and non-arterial streets, we would strongly recommend that such vacation be effected after careful traffic and safety analysis. Additional requirements should include site plan review by the Traffic and Street Engineering Departments, and the CD&P Landscape Architect, creation of a pedestrian easement, and some type of safeguard to allow emergency vehicle access.

RECOMMENDATION: Conditional Approval

Contingent upon the following:

1) Petitioner is to provide utility easements as necessary.
2) Petitioner is to provide pedestrian easements.
3) Site plan review and approval is required from the following departments: Traffic Engineering, Street Engineering, and CD&P Landscape Architect.
4) The existing street should be closed except for emergency vehicles.

RESOLUTION 76-140-4

WHEREAS, ST. JOSEPH HOSPITAL OF FORT WAYNE, INC., d/b/a/ ST. JOSEPH'S MEDICAL CENTER OF FORT WAYNE OF FORT WAYNE, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of street situated in Fort Wayne, Allen County, to-wit:

> A public street, known as Berry Street, running from Broadway on the east to Van Buren street on the west, which said public street is in the City of Fort Wayne, Indiana, being in Rockhill's Amended Addition, Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated portion of street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated portion of street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated portion of street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Baron R. Biedenweg, Acting Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held October 29, 1986 and as same appears of record in the official records of the Board of Public Works

DATED THIS 29th DAY OF October 1986

FORT WAYNE BOARD OF PUBLIC WORKS

Baron R. Biedenweg
Director of Public Works

Cosette R. Simon
Director of Administration & Finance

Lawrence D. Consalvos
Director of Public Safety

RESOLUTION

WHEREAS, ST. JOSEPH HOSPITAL OF FORT WAYNE, INC., d/b/a/ ST. JOSEPH'S MEDICAL CENTER OF FORT WAYNE OF FORT WAYNE, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of street situated in Fort Wayne, Allen County, to-wit:

> A public street, known as Berry Street, running from Broadway on the east to Van Buren street on the west, which said public street is in the City of Fort Wayne, Indiana, being in Rockhill's Amended Addition, Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on February 24, 1986 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated portion of street.

WHEREAS, said vacation of dedicated portion of street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated portion of street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated portion of street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated portion of street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated portion of street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 24 March 1986, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 24 DAY OF October 1986

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith

Melvin O. Smith, Secretary

SAM TALARICO

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

173/86/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 173/86/E)

I hereby certify that I did this 3rd day of November, 1986 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 173/86E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

L.D. Conrad

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 173/86/E

(Adopted October 30, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated October 30, 1986, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective October 30, 1986, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Easton Trail --stop-- for Bridgewater Drive

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA TO BE HELD

ON ~~TUESAY~~ Monday, NOVEMBER 10, 1986

WE, THE UNDERSIGNED, BEING ALL OF THE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, DO HEREBY CALL A SPECIAL MEETING OF SAID COUNCIL TO BE HELD ON ~~Tuesday~~ Monday, AT 7:00 O'CLOCK P.M., E.S.T., AND JOINTLY AND SEVERALLY WAIVE NOTICE OF THE TIME, PLACE AND PURPOSE OF SAID MEETING AND CONSENT THAT SAME BE HELD ON THE AFORESAID DATE FOR THE PURPOSE OF placing before Common Council bills for introduction and passage.

Samuel J. Talarico

Janet G. Bradbury

DATED THIS October 28, 1986

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

SEAL

The City of Fort Wayne

NOTICE OF A SPECIAL SESSION OF
THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

You are hereby notified that the Common Council of the City of Fort Wayne, Indiana, will hold a SPECIAL MEETING ON MONDAY, NOVEMBER 10, 1986, AT 7:00 O'CLOCK P.M.,E.S.T., THE COMMON COUNCIL CONFERENCE ROOM 128 & COUNCIL CHAMBERS ROOM 126, ONE MAIN STREET, FORT WAYNE, INDIANA.

Said meeting shall be held for the purpose of placing before Common Council ordinances & resolutions for introduction and passage.

DATED: NOVEMBER 3, 1986

Sandra E. Kennedy
Clerk of the Common Council
of the City of Fort Wayne, Indiana